

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HAZEL M. ROBY,)	
as administratrix of)	
the estate of Ronald)	
Tyrone Roby, deceased,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:05cv494-MHT
BENTON EXPRESS, INC.,)	(WO)
)	
Defendant.)	

JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Defendant Benton Express, Inc., through its liability insurance carriers, is to pay Five Million Five Hundred Thousand Dollars (\$5,500,000.00) to the law firm of Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., to be distributed as follows:

(A) \$ 1,812,989.43 payable to Beasley, Allen,
Crow, Methvin, Portis & Miles, P.C., for

legal fees and expenses incurred in representing the plaintiff.

(B) \$ 1,813,261.40 payable to Hazel M. Roby Irrevocable Trust, who is the dependent wife, and Personal Representative of the Estate of Ronald T. Roby, deceased.

(C) \$ 302,210.23 payable to Hazel M. Roby as a fiduciary for D.R., who is the minor child of Ronald T. Roby, in accordance with the following instructions: (1) to be used only for the benefit of D.R.; and (2) to set up a trust or conservatorship or other arrangement so that the minor is not to obtain control over the funds until age 21.

(D) \$ 302,210.23 payable to Kimberly Lee as a fiduciary for C.R., who is the minor child of Ronald T. Roby, in accordance with the following instructions: (1) to be used only for the benefit of C.R.; and (2) to set up a

trust or conservatorship or other arrangement so that the minor is not to obtain control over the funds until age 21.

(E) \$ 302,210.23 payable to Kimberly Lee as a fiduciary for K.R., who is the minor child of Ronald T. Roby, in accordance with the following instructions: (1) to be used only for the benefit of K.R.; and (2) to set up a trust or conservatorship or other arrangement so that the minor is not to obtain control over the funds until age 21.

(F) \$ 302,210.24 payable to Ronnie T. Roby Irrevocable Trust, as majority-aged child of Ronald T. Roby.

(G) \$ 302,210.24 payable to Roderick T. Roby Irrevocable Trust, as majority-aged child of Ronald T. Roby.

(H) \$ 302,210.23 payable to Almendarious Owens, as majority-aged child of Ronald T. Roby.

(2) Defendant Benton Express, Inc. is to pay \$ 750.00 to Sandra Lewis and \$ 1,500.00 to A. Wesley Pitters for services rendered as court-appointed guardians ad litem of D.R., C.R., and K.R.

By agreement of the parties, it is further ORDERED that defendant Benton Express, Inc., expressly denies liability, and that nothing contained in this judgment will operate as an admission or acceptance or as an adjudication of liability by or upon defendant Benton Express, Inc.

By agreement of the parties, it is further ORDERED that the plaintiff shall defend and indemnify defendant Benton Express and defendant's counsel of record and insurers from and against attorney fee claims arising therefrom, and shall further satisfy all lien claims and outstanding bills for benefits and services of every type provided to the plaintiff and defend and indemnify defendant from any such liens.

It is further ORDERED that the plaintiff Hazel M. Roby accepts the above-referenced settlement as a final judgment of all the claims of the plaintiff, her heirs, assigns, executors, and administrators arising out of the accident described in the complaint against the named defendant, its heirs, executors, administrators, agents and assigns, and any and all other persons, firms or corporations affiliated with defendant who might be claimed to be liable, none of whom admit liability to the plaintiff but expressly deny any liability, from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature whatsoever, and particularly on account of all losses, known and unknown, both to person and property, which have resulted or may in the future develop from a certain motor vehicle accident which occurred on or about April 11, 2005, at the intersection of Interstates 85 and 65 in Montgomery, Alabama.

DONE, this the 19th day of May, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE